



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): John K. Walton et al..  
Serial No: 09/746,496 Group Art Unit: 2133  
Filing Date: 12/21/2000 Examiner: P. M. Chung  
Title: Method For Validating Write Data To a Memory  
Attorney Docket No. EMC2-087PUS

**CERTIFICATE OF MAILING/TRANSMISSION 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment, T.C./A.U. 2133, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Date:

7-14-04

Signature

Richard M. Sharkansky

Mail Stop Amendment  
T.C./A.U. 2133  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

Sir:

**Terminal Disclaimer  
Under 37 CFR 1.321(b)**

Your Petitioner, EMC Corporation, a Massachusetts corporation, having its principal place of business at 176 South Street, Hopkinton, MA 01748-9103, states that it is the assignee, by assignment dated 12/20/2000, recorded on 12/21/2000 at Reel/Frame 011412/0866, of the entire right, title and interest in and to the patent application identified above.

Your Petitioner hereby disclaims, except as provided below, the terminal part of the statutory period of any patent granted on the application identified above that would extend beyond expiration of the full statutory term of any patent granted on pending patent application serial no. 09/745,573 filed 12/21/2000, also assigned to EMC Corporation, as indicated in an Assignment recorded on 12/21/2000 at Reel/Frame 011395/0217.

07/19/2004 MBIZUNES 00000005 050889 09746496

01 FC:1814 110.00 DA

Your Petitioner hereby agrees that any patent so granted on the application serial no. 09/746,496 identified above shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on patent application serial no. 09/745,573. This agreement is to run with any patent granted on the application serial no. 09/746,496 identified above and is to be binding upon the grantee, its successor or assigns.

Your Petitioner does not disclaim any terminal part of the statutory period of any patent granted on the application serial no. 09/746,496 identified above prior to the expiration of any patent granted on application serial no. 09/745,573, in the event that any patent granted on said application serial no. 09/745,573 expires earlier for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or in part, has all claims canceled by reexamination, is subject of a reissue, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned, whose title is supplied below, is empowered to act and authorized to execute this document on behalf of the owner.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

EMC Corporation

Dated: July 13, 2004

By: Krishnendu Gupta

Name: Krishnendu Gupta

Title: Director, Senior Counsel



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 110.00

## Complete if Known

Application Number	09/746,496
Filing Date	12/21/2000
First Named Inventor	Walton
Examiner Name	Chung, Phung M.
Art Unit	2133
Attorney Docket No.	EMC2-087PUS

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

05-0889

EMC Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$ )					

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	Multiple Dependent	-20** =	-3** =			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) <b>TERMINAL DISCLAIMER</b>					110.00
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$ )					

## SUBMITTED BY

Name (Print/Type)	Richard M. Sharkapsky	Registration No. (Attorney/Agent)	25,800	Telephone	508 477 4311
Signature		Date	7-14-04		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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